



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/593,541

06/14/2000

Stephen P. Forte

T7093.0004/P002

8074

24998

7590

03/24/2006

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

2101 L Street, NW

Washington, DC 20037

EXAMINER

HONG, HARRY S

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/593,541	Applicant(s) FORTE, STEPHEN P.	
	Examiner Harry S. Hong	Art Unit 2642	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-13, 37-41, and 46-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pinard et al. (Pinard; US 5,454,032; previously cited and applied); Bannister et al. (Bannister; US 5,548,636; previously cited and applied); or Mukerjee et al. (Mukerjee; US 6,405,041; previously cited and applied) in view of Cripps (US 4,471,167; cited and applied for the first time).

The entire patent to Pinard or Bannister (column 11, line 45 – column 12, line 34) plainly teaches the claimed feature of selectively establishing communication with one of plural devices associated with single telephone number where Pinard or Bannister clearly teaches the claimed first network as a PBX network and the claimed second network as a public wireless carrier network.

The entire patent to Mukerjee also plainly teaches the claimed feature of selectively establishing communication with one of plural devices associated with single telephone number where Mukerjee clearly teaches the claimed first network as a PBX network (140) and the claimed second network as a public wireless carrier network.

Pinard, Bannister, or Mukerjee differs from claims 1-13, 37-41, and 46-60 with respect to the physical connection to a physical extension. However, the entire patent to Cripps (refer *inter alia* to column 9 lines 6 – 66) is directed to plainly teaching the advantages of a direct physical connection to a physical extension for a wireless device without any changes to the central office. Therefore, it would have been obvious even to one of ordinary skill in the art at the time of the invention to incorporate the concept of the detecting a physical connection to a physical extension as taught by Cripps into the system of Pinard, Bannister, or Mukerjee in order to provide PSTN/PBX functionality to the wireless device with minimal modification.

4. Claims 14-36 and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mauger et al. (Mauger; US 5,537,610; previously cited and applied); Widergen et al. (Widergen; US 5,890,064; previously cited and applied); Eriksson (US 5,956,652; previously cited by the applicant and applied) or Sjodin et al. (Sjodin; US 5,995,843; previously cited by the applicant and applied) in view of Cripps (US 4,471,167; cited and applied for the first time).

Mauger or Widergen plainly teaches the claimed feature of providing PBX network functions to the remote devices where Mauger or Widergen clearly teaches the claimed first network as a PBX network and the claimed second network as a public

Art Unit: 2642

wireless carrier network. See the Abstract and Fig. 27 of Mauger. The PTN of Widergen is the PBX network.

The entire patent to Eriksson or Sjodin also plainly teaches the claimed feature of providing PBX network functions to the remote devices where Eriksson or Sjodin clearly teaches and depicts the claimed first network as a PBX network and the claimed second network as a public wireless carrier network.

Mauger, Widergen, Eriksson, or Sjodin differs from claims 14-36 and 42-45 with respect to the physical connection to a physical extension. However, the entire patent to Cripps (refer *inter alia* to column 9 lines 6 – 66) is directed to plainly teaching the advantages of a direct physical connection to a physical extension for a wireless device without any changes to the central office. Therefore, it would have been obvious even to one of ordinary skill in the art at the time of the invention to incorporate the concept of a physical connection to a physical extension as taught by Cripps into the system of Mauger, Widergen, Eriksson, or Sjodin in order to provide dial tone function to the wireless device with minimal modification.

Response to Arguments

5. Applicant's arguments with respect to claims 1, 9, 14, 18, 22, 28, 33, 37, 42, and 46 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harry S. Hong whose telephone number is (571) 272-7485. The examiner is normally off on Wednesdays.

Art Unit: 2642

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harry S. Hong

Harry S. Hong
Primary Examiner
Art Unit 2642

March 13, 2006